

State of South Dakota

EIGHTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 2009

951Q0509

HOUSE BILL NO. 1281

Introduced by: Representatives Kirkeby, Brunner, Feickert, Kopp, Krebs, Lange, Street, and Verchio and Senators Schmidt, Dempster, and Rhoden

1 FOR AN ACT ENTITLED, An Act to enhance funding for state highways, to increase fees on
2 certain signs, displays, or devices, and to provide certain penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 31-29 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 In addition to any fee imposed by § 31-29-71.1, there is imposed an annual fee on each sign,
7 display, or device as specified in the following schedule:

8 (1) Fifteen square feet or less, inclusive, forty-five dollars; and

9 (2) For each additional square foot or major fraction thereof, in excess of fifteen square
10 feet, three dollars.

11 A sign, display, or device less than sixty-five square feet owned and maintained by a church
12 is exempt from the fee imposed under this section. Any sign, display, or device located within
13 or without the corporate limits of a municipality is subject to the fee imposed by this section.

14 The fees paid pursuant to this section are in lieu of all property taxes.

15 Section 2. That chapter 31-29 be amended by adding thereto a NEW SECTION to read as



1 follows:

2 The owner of the sign, display, or device shall pay the fee imposed by section 1 of this Act
3 to the Department of Transportation by October first each year. The secretary of the Department
4 of Transportation shall deposit the fee collected pursuant to section 1 of this Act in the state
5 highway fund.

6 Section 3. That chapter 31-29 be amended by adding thereto a NEW SECTION to read as
7 follows:

8 Any sign, display, or device, defined in subdivision 31-29-63(1), (2), (3), (6), (7), (8), or (9),
9 is exempt from the fee imposed by section 1 of this Act.

10 Section 4. That chapter 31-29 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 Any person who fails to obtain any permit required by this chapter or pay any fee imposed
13 by this chapter is guilty of a Class 1 misdemeanor.